

## **Task Force on the Future for Growth and Development in Maryland**

**September 9, 2008 / 1:00 PM – 4:00 PM**

**The Maryland Department of Planning**

**Baltimore, Maryland**

### **Meeting Summary**

#### **Attendance**

**Members:** Jon Laria (Chair), Derick Berlage, Virginia Clagett, Sandy Coyman, Jan Gardner, Carol Gilbert, Richard Hall, Don Halligan, Frank Hertsch, Brigid Kenney, Gerrit Knaap, Dru Schmidt-Perkins

**Attendees:** Marty Baker (MDOT), Tom Ballentine (NAIOP), Jamie Bridges (BMC), Peter Boussein (Office of Del. McIntosh), Michele Dinkel (MACo), Candace Donoho (MML), Cristen Flynn (DLS), Alan Girard (CBF), Dave Goshom (DNR), Brad Heavner (Env. MD), Les Knapp (MACo), Sandi Olek (DNR), Izzy Patoka (Governor's Office), Frank Principe (Balto. Co.), Kurt Sommer (DHCD), Lori Valentine (DBED), Helga Weschke (DBED), Barbara Zektick (MDOT)

**MDP Staff:** Amanda Conn, Peter Conrad, David Costello, Pat Goucher, Jenny King, Marco Merrick, Nery Morales, Eric Schmitt, Shelley Wasserman, David Whitaker

#### **Welcome/Administrative Matters**

Mr. Jon Laria, Chair, welcomed and thanked the members for their attendance and participation. He also welcomed and introduced Mr. Don Halligan, who is assuming the MDOT slot on the Task Force.

Mr. Laria informed the Task Force that he will be circulating a Terrapin Run recommendation for consideration at the September 22<sup>nd</sup> meeting.

Mr. Laria noted two new meeting dates- October 15<sup>th</sup> and November 12<sup>th</sup>.

#### **Listening Sessions**

In response to requests, Mr. Laria told the Task Force that an additional Prince George's County Listening Session will be scheduled and that more information would be available at a later date.

Mr. Hall informed the Task Force that the Listening Sessions will incorporate the Eight Visions Workgroup's revised Twelve Visions into the interactive question survey. Ms. Schmidt-Perkins asked if questions about the State Development Plan will be asked at the Listening Session. Mr. Hall advised that there will be a broad State Development Plan question. He also noted that public participation will be an important part of the State Development Plan process.

Mr. Laria requested that Task Force members attend as many Sessions as possible.

### 8 Visions Workgroup

Mr. Knaap informed that Task Force that the workgroup met three times. At the first meeting the workgroup was briefed by Shelley Wasserman, MDP Assistant Attorney General, about the legal background of the Eight Visions. The workgroup also looked at the existing Visions and had extensive conversation. At the second meeting Nicole Diehlmann, MHT and Joe Tassone, MDP circulated a revised draft of the Visions, now twelve rather than eight. At the third meeting, a revised list based on the second meeting was discussed and modified. The workgroup was unanimous in its three recommendations: the Twelve Visions be used as part of the discussion at the upcoming Listening Sessions; the Twelve Visions replace the Eight Visions in the existing statutes and be used to guide the growth policies of State agencies as well as a basis for MDP review of local comprehensive plans; and that the Twelve Visions be used to guide the State Development Plan.

Mr. Halligan suggested that infrastructure, specifically schools, and public safety were vital components missing. Mr. Knaap advised that the workgroup discussed these but did not explicitly name them. It was agreed that these key items were implied by Vision 5 (Infrastructure).

Ms. Gardner suggested changing Vision 5 (Infrastructure) to include water and sewer and services, therefore making it more encompassing, which recommendation was accepted.

Ms. Helga Weschke, DBED, suggested that Vision 8 (Economic Development) be clarified to confirm that DBED strives for employment opportunities for all income levels with the view to higher paying jobs

The Task Force adopted the Visions as drafted, but Mr. Laria encouraged any clarifications members wish to forward. Mr. Laria thanked the workgroup for its effort.

### Infrastructure Assessment Workgroup

Mr. Coyman stated that although the workgroup had a good exchange of ideas they did not achieve consensus on many of the recommendations. Mr. Coyman noted some key discussion topics of the workgroup:

- The practical limits for bonds and debt at the local level.
- MDE's water allocation policies.
- The money needed to meet PFA aspirations.
- Issues with water supply, water reuse and wastewater.
- APFO discussion generated a lot of controversy and it was decided to agree to disagree on this topic.
- The workgroup discussed transit needs.

There was discussion surrounding the incorporation of MACOs suggestions. Mr. Coyman asked if the workgroup could have a final meeting to flesh out any remaining concerns. Mr. Laria indicated that he would like to have a focused and final discussion at the next meeting.

#### Rethinking Priority Funding Areas

Mr. Hall presented the “Rethinking PFAs” document. Mr. Laria asked about the hierarchy used in the document. He also asked whether we assuming that PFAs are acceptable as they exist or whether we need a clean slate from which to think about PFAs? Mr. Hall explained that in general people feel that PFAs are useful and correspond to local growth areas, and also that people have grown accustomed to PFAs. He felt the current PFA structure was a good starting place to begin analyzing restructuring of PFAs. Mr. Hall noted MDP’s assessment that that the existing PFAs collectively can accommodate the 2030 statewide projection of 1.1 million additional residents.

Ms. Schmidt-Perkins stated that there are numerous ways to restructure PFAs. She expressed her concern on the new tier system being structured around the old zoning and her uneasiness with using existing PFAs because some PFAs do not really encourage smart growth.

Mr. Berlage stated that we be prepared to start over but should use the existing PFA structure as a benchmark and reference.

Ms. Gardner commented that it appeared that new growth areas fell into category three of the development tier and she expressed some concerns about how the categories were established so these areas don’t receive less attention and priority. She also suggested that more criteria be included into a section on where new growth areas should go.

Mr. Coyman pointed out the dichotomy of rural areas vs. urban areas. He suggested consider of a two-tier priority system that distinguishes rural from urban.

Mr. Laria also noted that he did not want the Task Force’s recommendations limited by budgetary considerations. While these cannot be ignored, he believes such limiting factors should be addressed as part of the State’s response to the report and should not be part of the Task Force’s editing now, other than to acknowledge that there are practical fiscal realities at work.

Ms. Kenney agreed that although she supports the idea of having a growth category, it was not clear that the “stabilization” category adequately achieves this.

Mr. Laria advised that he is forming a PFA Workgroup to explore the PFA questions in greater detail and asked for members to let him know of their interest in serving. He also agreed that non-members such as MACo and MML professional staff could serve within practical limits.

#### Adequate Public Facilities Ordinances (APFOs)

Mr. Hall noted that the approach in developing this presentation was to give Task Force members some of the pros and cons of APFOs.

Ms. Gardner pointed out that the document notes that empirical data is not available and therefore she thought the most important recommendation is to require that the State conduct an APFO study to get empirical data. She noted that she does not agree with any sunset provision on APFOs because developers will simply wait for the sunset period to be over. She further noted that in Frederick County mitigation measures exist which require developers to build schools.

Mr. Knaap noted a previous study that he conducted to estimate whether APFOs encouraged growth outside of PFA. He would be happy to share the results.

The Task Force discussed APFO details and individual counties. It was acknowledged that not all APFOs function in the same way and that standards are not unified.

Mr. Berlage suggested looking at best practices since APFOs differ so greatly across the State.

Ms. Schmidt-Perkins suggested that best practices are a good idea. Relief of certain moratoria can make sense because moratoria have been used instead of sensible planning.

Mr. Coyman noted the important relationship between APFOs and impact fees.

Ms. Gardner distributed a document which detailed the cost share for schools paid by the State and the counties.

Mr. Laria advised that he is forming a APFO Workgroup to explore the APFO questions in greater detail and asked for members to let him know of their interest in serving. Affiliated non-members will be able to serve, as with other workgroups.

#### Public comments

None

#### Miscellaneous

Ms. Gardner registered for the record her objection to certain aspects of the Terrapin Run statement and Mr. Laria solicited final recommended changes from members for action at the next meeting.

The meeting adjourned at 4:01 pm.

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